

**UNITED STATES U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ERIKA LEE,

Plaintiff,

v.

DELTA AIR LINES, INC., DAVID
NEEDHAM & JOSE ROSADO,

Defendants.

Civil Action No. 1:22-cv-8618-DEH-
RWL

EXHIBIT I

TO

DELTA'S LETTER

DATED

APRIL 15, 2025

Fleming, Michael F.

From: Fleming, Michael F.
Sent: Monday, April 7, 2025 7:58 PM
To: 'Erika Lee'
Cc: Rosenstein, Ira G.; Gunn, Imani D.
Subject: Lee v. Delta - Discovery Deficiencies

Ms. Lee,

Following the January 15, 2025 discovery conference with the Court in this case, you were ordered to serve Delta with all responsive documents in your possession, custody, or control by January 29, 2025. On January 30, in light of your failure to comply with the Court's January 15 Order and your ongoing discovery obligations, Delta served you with a deficiency letter outlining your discovery deficiencies, including your continued failure to serve Delta with all relevant documents and communications. You responded via email that same day stating, "I DO NOT HAVE IN MY POSSESSION ANY OTHER DOCUMENTS," and indicated that all of Delta's "frivolous discovery issues have now been answered."

Notwithstanding, on March 23, March 30, and April 3, you served Delta with sets of Requests for Admission, to which you attached several documents you apparently deem to be related to this matter, but which you had not previously produced to Delta. Your production of these new documents despite your earlier representation that you had produced all relevant documents calls into question what methods you have applied to search for responsive documents, and whether you are in possession of additional relevant documents.

Accordingly, Delta requests that you answer and/or address the below inquiries:

- (1) explain your failure to produce the documents labeled Exhibit I as attached to your "RFA Set 3"; and Exhibits 2, N, O, and P as attached to your "RFA Set 4";
- (2) explain how you came into possession of the document labeled Exhibit N as attached to your RFA Set 4;
- (3) describe the process used to search any electronic devices in your possession for responsive documents and communications, including the method utilized, and any search terms applied in executing your search(es); and
- (4) confirm you have no additional documents, and/or electronic communications in your possession, including, but not limited to, emails and/or text message communications, which relate to your claims in this matter or are otherwise responsive to Delta's Requests for Production of Documents as served on November 22, 2024.

Should you fail to fully respond to these inquiries by this Friday, April 11, at 5 p.m., Delta intends to seek further relief from the Court.

Thank you,

Michael F. Fleming

Morgan, Lewis & Bockius LLP

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